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Application Number 10/533489
Response to Office Action dated 03/21/2007

REMARKS

Applicants request reconsideration of the patent application in view of the amendments and the remarks herein. Claims 1-17 are amended; claims 18-33 are canceled without disclaimer or prejudice. In amending the claims, Applicants have not added new matter; support in the originally filed specification is given in FIGS. 1-3 and the corresponding description on page 17, line 11 through page 19, line 24. Claims 1-17 are pending.

The Rejections based on Nonstatutory Obviousness-type Double Patenting

Claims 1-3 and 5-6 are rejected on the ground of nonstatutory obviousness-type double patenting over claims 1-4 of U.S. Patent 7129814. Applicants submit a terminal disclaimer to overcome this rejection.

Claims 1-6 and claims 8-10, 12-13 and 15-17 are provisionally rejected on the grounds of nonstatutory obviousness-type double patenting over claims 1 and 8-15, and claims 5, 16-20, respectively, of copending U.S. Application 10/517943. Applicants submit herewith a terminal disclaimer to overcome the rejection.

Claims 16- and 8-13 are provisionally rejected on the grounds of nonstatutory obviousness-type double patenting over claims 1-7 and 8-14 of copending U.S. Application 10/553044. Applicants herewith submit a terminal disclaimer to overcome the rejection.

Applicants are not conceding the correctness of the rejections.

The Rejections under U.S. Patent No. 4706060 to May

Claims 1-3, 5 and 7 are rejected as being anticipated by May '060; claim 4 is rejected as being obvious in view of May '060 and U.S. Patent 6777778 to Sato (Sato '778); claim 6 is rejected as being obvious in view of May '060 and U.S. Patent 6170146 to Gardner (Gardner '146); claims 8 and 11-12 are rejected as being obvious in view of EP 0326212 to Caporali (Caporali '212) and May '060; claims 9 and 10 are rejected as being obvious in view of Caporali '212, May '060, and U.S. Patent 5450055 to Doi (Doi '055); and claims 13-17 are rejected as being obvious in view of Caporali '212, May '060, and U.S. Patent 6955942 to Kobayashi (Kobayashi '942).

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With respect to claims 1-3, 5 and 7, May '060 does not teach or suggest a chip resistor having a first insulation layer covering a region between electrodes on a rear surface of a resistor body and a metal coating layer covering an electrode and an end surface, as required by claim 1. Looking to May '060 in detail, Figure 4 has insulation layers 330 formed between electrodes 318 and 320 but there is no metal coating covering the electrodes. In another embodiment of Figure 6 of May '060, there is no metal coating that covers and extends beyond the electrodes 518 and 520 into contact with the insulation layer, as required by claims 1, 8, 12 and 13. Thus, May '060 does not disclose every claimed element in order to anticipate Applicants' claims; nor does May '060 suggest a metal coating covering an electrode and an end surface, as required by claim 1, 8, 12, and 13. With respect to Figure 7, May '060 at column 8, lines 18-19 specifically states that no metallization is intended to be placed upon the dielectric layer, and indeed the purpose of the configuration of May '060 at Figure 7 is to fully encapsulate the varistor from the environment, whereas Applicants teach a metal layer to determine that the solder has formed an appropriate connection to form the solder fillets. Thus, May '060 teaches away from the claimed invention.

Claims 2-7, 9-11 and claims 14-17 are allowable at least by virtue of the dependence upon claims 1, 8 and 13, respectively. Applicants do not concede the correctness of the rejection. Applicants request the Examiner to withdraw the rejections of the claims as being anticipated by or obvious in view of May '060.

Applicants traverse the rejection of claim 4 as being obvious in view of May '060 and Sato '778. May '060 has been discussed above and Sato '778 does not correct its deficiencies. Sato '778, moreover, does not teach or suggest an additional metal coating formed over the electrodes. Applicants do not concede the correctness of the rejection, and request the Examiner to withdraw the rejection of claim 4 over May '060 and Sato '778.

Applicants further traverse the rejection of claim 6 as being obvious over May '060 and Gardner '146. Gardner '146 does not correct the deficiencies of May '060, as discussed above. Applicants, moreover, do not concede the correctness of the rejection. Gardner '146 does not teach or suggest any insulation layer covering the rear or side surfaces of the resistor body because Gardner '146 teaches a dielectric body (*see* Gardner '146 at column 2, line 16). Thus, there is no motivation to combine May '060 and Gardner '146 because May '060 teaches a metal body (*see* May '060 at column 3, lines 13-14) with dielectric surfaces, while Gardner '146 teaches the opposite – a dielectric body with conductive surfaces. Applicants

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thus request the Examiner to withdraw the rejection of claim 6 as being obvious over May '060 and Gardner '146.

Applicants also traverse the rejection of claims 8 and 11-12 as being obvious under a combination of Caporali '212 and May '060; claims 9 and 10 as being obvious over Caporali '212, May '060 and Doi '055, and claims 13-17 as being obvious under the combination of Caporali '212, May '060, and Kobayachi '942. Applicants do not concede the correctness of the rejections. May '060 has been described above. Caporali '212, Doi '055, and/or Kobayachi '942 in combination do not correct the deficiencies of May '060 because no reference teaches or suggests a metal coating layer covering one of the electrodes and an end surface, a first insulation layer between the electrodes, a second insulation layer covering the sides, wherein each electrode and metal coating layer overlap a portion of the first insulation layer, the first insulation layer inserted between the metal coating layer and the surface of the resistor with the metal coating layer extending beyond the electrode to be in contact with the first insulation layer, as required by claims 8 and 12. Neither Caporali '212 nor Doi '055 provide or suggest a second insulation layer covering the side surfaces of the resistor body. Claims 9-11 and 14-17 are allowable at least by virtue of their dependence upon claims 8 and 13. Applicants thus request withdrawal of the rejection of claims 8-17 as being obvious over a combination of May '060, Caporali '212, Doi '055, and/or Kobayachi '942.

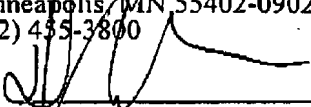
The rejection of claims 18 and 19 as being anticipated by Kobayachi '942 is moot because claims 18-33 are canceled. Applicants request the Examiner to review these amendments and remarks and pass the application to issuance. If there are any minor remaining issues, the Examiner is invited to telephone Mr. Douglas P. Mueller at 612.455.3804.



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Respectfully submitted,

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